

RESOLUTION NO. _____, SERIES 2007

A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE METRO GOVERNMENT TO ACCEPT THE DONATION OF A CONSERVATION EASEMENT ON PROPERTY OWNED BY W. AUSTIN MUSSELMAN, JR. AND LAYLA GEORGE MUSSELMAN AND LOCATED ON PETERSON AVENUE.

SPONSORED BY: COUNCILWOMAN TINA WARD-PUGH

WHEREAS, W. Austin Musselman, Jr. and Layla George Musselman are the owners of property located on Peterson Avenue, more particularly described in the Deed of Conservation Easement , which property stands as a significant example of wildlife habitat and plant community in an urban setting, and serves to provide open space to the public and watershed benefits to the Beargrass Creek, and provides a buffer for two historic preservation districts from future incompatible uses; and

WHEREAS, the property possesses cultural, natural and scenic open space values of importance to the Musselmans, Louisville/Jefferson County Metro Council Metropolitan Government ("Metro Government"), the people of Louisville Metro, and the people of the Commonwealth of Kentucky, which if preserved will yield significant public benefits, including the protection of a natural plant and wildlife habitat, the preservation of open space and forest land of the scenic enjoyment and environmental benefit of the general public;

WHEREAS, pursuant to KRS 382.800 et seq., Metro Government is authorized to accept conservation easements to retain and protect natural, scenic and open space values of real property, assuring its availability for agricultural, forest or open space use, protecting natural resources, and to preserve historical, agricultural, archaeological or cultural aspects of real property in Kentucky, and is qualified to accept such easements under Section 170(h) of the Internal Revenue Code;

WHEREAS, the Metro Council desires to authorize the Mayor on behalf of the Metro Government to accept the attached Deed of Conservation Easement on the Musselman's property on behalf of Metro Government;

NOW THEREFORE BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

Section I: The Mayor is hereby authorized to accept and execute the attached Deed of Conservation Easemnet on property owned by W. Austin Musselman, Jr. and Layla George Musselman and located on Peterson Avenue.

Section II: This Resolution shall take effect upon passage and approval.

Kathleen J. Herron
Metro Council Clerk

Rick Blackwell
President of the Council

Jerry Abramson
Mayor

Approved: _____
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze
Jefferson County Attorney

By: _____